

# Congress of the United States

## House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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March 11, 2020

The Honorable Andrew Wheeler  
Administrator  
Environmental Protection Agency  
1301 Constitution Avenue N.W.  
Washington, DC 20460

Dear Administrator Wheeler,

This is a formal response to your March 9, 2020 letter responding to the House Committee on Science, Space, and Technology's request for a transcribed interview of Office of Policy Deputy Associate Administrator Helena Wooden-Aguilar. In that letter you cited, "sudden and undiscussed changes" to the interview rules as the reason for declining our request for a transcribed interview and offering a briefing. I must insist on a transcribed interview and not a briefing. To accommodate witness preparations, we will postpone the scheduled March 12th, 2020 transcribed interview to an agreed upon date sometime before April 3rd, 2020.

The Science Committee has been conducting its investigation of potential political interference with the Integrated Risk Information System (IRIS) program for more than a year. During this period, EPA has continually obfuscated and sought to obstruct the Committee's Constitutionally-mandated oversight efforts. EPA has slow-rolled responses to document requests, withheld an EPA official from a requested transcribed interview, and missed deadlines for actions. During this period, the Science Committee has exercised great forbearance, giving EPA ample opportunity to provide responses and making many accommodations to EPA.

EPA's non-responsiveness eventually caused the Committee to issue a subpoena for a deposition with an EPA political appointee—Mr. David Dunlap. The Dunlap interview was a unique situation. In a significant accommodation, this Committee offered to withdraw the subpoena of Mr. Dunlap, provided the Committee and Mr. Dunlap could reach agreement on a voluntary interview. As Mr. Dunlap was subject to an active subpoena, and an agreement was not guaranteed, Committee staff prepared to conduct a deposition—which must be conducted by Committee counsel. Once an agreement was eventually reached, the Committee decided to

continue with Committee counsel conducting the interview. This decision was satisfactory for all involved parties.

Ms. Wooden-Aguilar has not been subpoenaed, therefore, the procedures for her transcribed interview are the standard procedures used by this Committee in previous Congresses. These were the transcribed interview procedures when some of the current EPA Office of Congressional and Intergovernmental Relations staff were Science Committee staff with the then-majority. These are not "harsher" rules, these are the standard rules. Ms. Wooden-Aguilar was provided with an explanation of the transcribed interview one week before the scheduled March 12th transcribed interview, after Committee staff had unsuccessfully spent ten days trying to reach Ms. Wooden-Aguilar to discuss the procedures for a transcribed interview.

Nonetheless, in an accommodation to EPA, and in the interest of the comfort of Ms. Wooden-Aguilar, I will postpone the March 12th, 2020 transcribed interview to an agreed upon date sometime before April 3rd, 2020. We will use the standard transcribed interview regulations, which I have attached.

Please contact Janie Thompson, at 202-225-6375, by Wednesday, March 18, 2020 to reschedule the transcribed interview by April 3rd, 2020. If the Agency declines to cooperate according to this timeline, the Committee will be forced to take additional steps to ensure that its oversight can proceed without disruption. Thank you for your attention on this matter.

Sincerely,

A handwritten signature in blue ink, reading "Eddie Bernice Johnson". The signature is fluid and cursive, with the first name "Eddie" and last name "Johnson" being the most prominent parts.

Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space, and Technology

Attachment  
Regulations for Transcribed Interviews

cc: Frank Lucas  
Ranking Member  
Committee on Science, Space, and Technology